

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

It would seem that some permitted cases of private personal use would be difficult with the broadcast flag. For example, how would I transfer recorded material from the original recording device to another playback device, something I can do easily today with video tape.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices?

Yes. If it didn't what would be the point? The principle problem is that a simple flag cannot discriminate fair use within an individual's personal network of devices from copyright violation on the broader network. It unduly restricts fair use to accomplish its goals of preventing copyright violation.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

Yes. Presumably such restriction would be intentional so as to not devalue the flag by offering a work-around. In this sense it would obsolete existing equipment which is not appropriate.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

Yes! This has been the case with DVD encryption (vis the 2600 case and DeCSS and ReplayTV case) and the parties involved are fairly much the same. It would be naive to think that they will not proceed with the same policies for DVD encryption and broadcast flagging.

It also been the case in the analog modem market wherein new entrants were/are required subscribe to a full slate of standards, patent licensing and trade secret licensing in order to become "a player".

I would be worried that whatever standards are put in place should be free of license restrictions, patent licensing and trade secret in order to provide for zero cost and zero restriction entry of competitors.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

None obvious. In general it will discourage new entrants, in particular those who do not agree to the proponents entire agenda. Remember that all too often the hardware vendors are also the media companies these days. This has been seen in the DVD market.

Other Comments:

In general DRM and the broadcast flag are a huge waste of time and effort. Measures WILL be available to circumvent whatever technology is put in place for those who really wish to violate copyright. The real goal is to make fair use inconvenient and impractical for the average consumer.